

SEP 21 2007

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DATE: September 21, 2007

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TO: Examiner David C. Comstock, Group Art Unit 3733
COMPANY: U.S. Patent and Trademark OfficeFAX NUMBER: 571-273-8300
PHONE NUMBER:

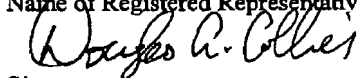
FROM: Douglas A. Collier

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RE: Submission of Supplemental Declaration for U.S. Patent Application No. 10/764,621 to Rolando M. Puno et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

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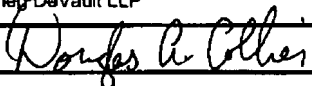
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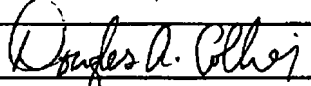
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/764,821
	Filing Date	January 28, 2004
	First Named Inventor	Rolando M. Puno et al.
	Art Unit	3733
	Examiner Name	David C. Comstock
Total Number of Pages in This Submission	Attorney Docket Number	MSDI-292/PC1008.00

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet; Submission of Supplemental Declaration
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Douglas A. Collier		
Date	September 21, 2007	Reg. No.	43,556

CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Douglas A. Collier	Date	September 21, 2007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent)	
application of:)	Before the Examiner:
Rolando M. Puno et al.)	David C. Comstock
)	
Serial No. 10/764,621)	Group Art Unit:
)	3733
Filed: January 26, 2004)	
)	September 21, 2007
METHODS AND INSTRUMENTS FOR)	
INSERTING INTERVERTEBRAL GRAFTS)	Attorney Docket Ref.:
AND DEVICES)	MSDI-292/PC1008.00

SUBMISSION OF SUPPLEMENTAL DECLARATION

Commissioner for Patents
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Dear Sirs:

Please find enclosed a Supplemental Declaration executed by each of the inventors in the above application in response to the examiner's objection in the July 13, 2007, Final Office Action to the declaration filed with the application. No fees or extensions of time are believed due for entry of the enclosed. However, please provide any extensions of time which may be necessary, and charge any fees which may be due, or credit any overpayments, to Deposit Account No. 12-2424, but not including issue fees.

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September 21, 2007
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Douglas A. Collier
Name of Registered Representative

Douglas A. Collier
Signature

September 21, 2007
Date of Signature

Respectfully submitted:

By:

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KD_IM-1135952_1

Submission of Supplemental Declaration
USSN 10/764,621
MSDI-292/PC1008.00
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